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Attorney for Defendants

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OSCAR RIVAS

Plaintiff,

vs.

METROPOLITAN LIFE INSURANCE
COMPANY; LONG TERM
DISABILITY PLAN FOR BANK OF
AMERICA CORPORATION

Defendants.

Case No.: C 052998 CW

STIPULATION TO APPEAR
TELEPHONICALLY FOR
DECEMBER 2, 2005 CASE
MANAGEMENT CONFERENCE

Date: December 2, 2005
Time: 1:30 p.m.
Ctrm: 2

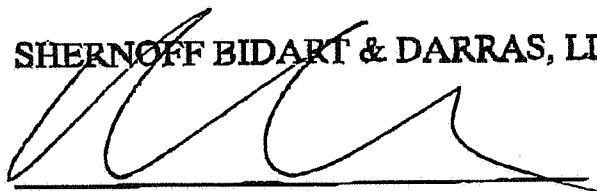
1 TO THE HONORABLE COURT AND TO ALL PARTIES HEREIN AND
2 THEIR ATTORNEYS OF RECORD:

3 Plaintiff OSCAR RIVAS (herinafter "RIVAS") and Defendants
4 METROPOLITAN LIFE INSURANCE COMPANY (herinafter "MET LIFE"), by
5 and through their respective counsel of record, hereby stipulate and respectfully
6 request that the Plaintiff's counsel appear telephonically for the December 2, 2005
7 Case Management Conference as counsel's principal place of business is located in
8 Ontario, California.

9 For the reasons stated above, IT IS HEREBY STIPULATED AND
10 AGREED by and between the parties and their respective counsel of record, and it
11 is respectfully requested that Plaintiff's counsel appear telephonically.

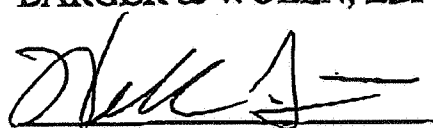
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13 DATED: November 17, 2005

SHERNOFF BIDART & DARRAS, LLP


FRANK N. DARRAS
MICHAEL B. HORROW
Attorneys for Plaintiff
OSCAR RIVAS

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21 DATED: November 18, 2005

BARGER & WOLEN, LLP


J. RUSSEL STEDMAN
WILLIAM LEE
Attorneys for Defendant
METROPOLITAN LIFE INSURANCE CO.

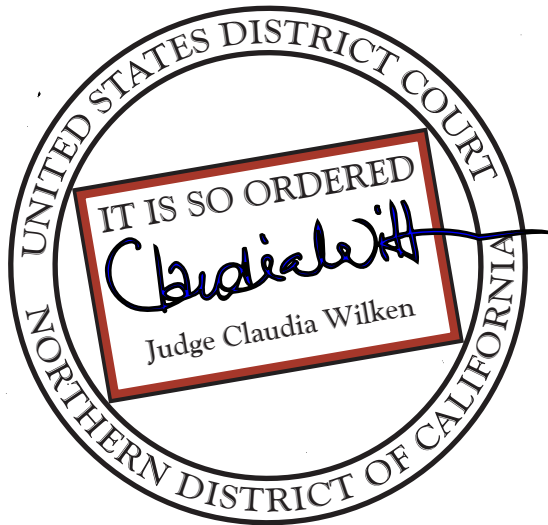
~~PROPOSED~~ ORDER

Good cause appearing therefor, IT IS HEREBY ORDERED as follows:

1. That Plaintiff's counsel appear telephonically for the December 2, 2005 Case Management Conference.

DATED: 11/28/05

United States District Judge



SHERNOFF BIDART DARRAS
LAWYERS FOR INSURANCE POLICYHOLDERS
600 S INDIAN HILL BLVD CLAREMONT CA 91711 TEL 909 621 4935

Case No: C 052998 CW

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 3257 E. Guasti Road, Suite 300, Ontario, CA 91761.

On **November 21, 2005**, I served the foregoing document described as **STIPULATION TO APPEAR TELEPHONICALLY FOR DECEMBER 2, 2005 CASE MANAGEMENT CONFERENCE AND [PROPOSED] ORDER** on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

William Lee, Esq.
BARGER & WOLEN, LLP
650 California Street, 9th Floor
San Francisco, CA 94108
Phone: (415) 434-2800
Fax: (415) 434-2533

Attorney for Defendants

[X] BY MAIL

I caused such envelope to be deposited in the mail at Ontario, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date deposit for mailing in affidavit.

[] BY PERSONAL SERVICE

I caused to be delivered by hand to the above-listed addressees or to the addressees on the list attached hereto. A proof of service executed by the delivery person will be mailed under separate cover.

[] BY FACSIMILE ("FAX")

In addition to the manner of proof of service indicated above, a copy was sent by FAX to the above-listed party.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of California that the above is true and correct.

Executed on **November 21, 2005**, at Ontario, California.


FRANCESCA LOPEZ